

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SPARER et al. Group Art Unit: 1618
Serial No.: 10/640,853 Examiner: James William Rogers
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Title: ACTIVE AGENT DELIVERY SYSTEMS, MEDICAL DEVICES, AND METHODS

Mail Stop Appeal Brief - Patents

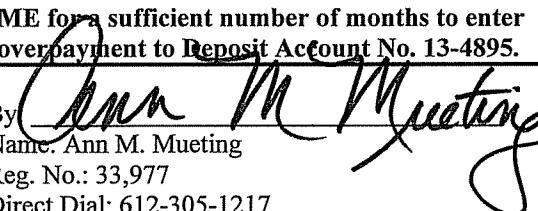
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We are transmitting the following documents along with this transmittal sheet:

An Appeal Brief (67 pgs); Claims Appendix (12 pgs) Evidence Appendix (1 page); Related Proceedings Appendix (1 page); and Cited Authorities and Documents Appendix (2 pgs). Please charge Deposit Account No. 13-4895 in the amount of \$0 to cover the Appeal Brief filing fee. Appellants previously paid \$1520 in appeal fees in the present application (\$500 on July 11, 2007; \$510 on January 29, 2008; and \$510 on March 28, 2008) without a final Board decision. From this, \$540 was applied to the filing of a Notice of Appeal on September 27, 2010. Pursuant to M.P.E.P. §1204.01, Appellants submit that the previously paid appeal fees may be applied also to the \$540 fee for filing the present Notice of Appeal. Thus, it is believed that no fee is due. Please charge any additional fees or credit any over-payment to PTO Deposit Account No. 13-4895.

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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that this Transmittal Cover Sheet and the paper(s), as described hereinabove, are being transmitted via the U.S. Patent and Trademark Office electronic filing system in accordance with 37 CFR §1.6(a)(4) to the Patent and Trademark Office addressed to Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29th day of November 2010.

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